

AUG 28 2006



FACSIMILE COVER SHEET

TO:

U.S. Patent and Trademark Office
CENTRAL FAX LINE

FAX NUMBER:

571-273-8300

PHONE NUMBER:

YOUR REF.:

10/681,005

RE:

RESPONSE TO FINAL OFFICE ACTION

PLEASE DELIVER TO EXAMINER SUGARMAN IN ART UNIT 2872 IMMEDIATELY!

FROM:

John A. Fortkort; Reg. No. 38,454

DATE:

28 August 2006

TOTAL NO. OF PAGES (INCLUDING COVER)

15

OUR REF.:

FRSN001US0

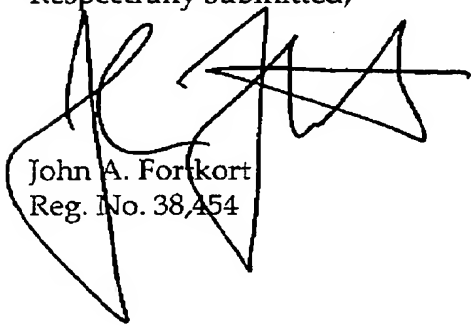
Re: USAN 10/681,005
Imaging Lens for Infrared Cameras
Filed: October 7, 2003
Inventor: Claytor, Richard N.
Our Ref.: FRSN001US0

Dear Sir/Madam,

Please find attached hereto:

1. General Transmittal Form (1 page);
2. Fee Transmittal (1 page) indicating no fee is due; and
3. Response to Final Office Action (12 pages).

Respectfully submitted,


John A. Fortkort
Reg. No. 38,454

AUG 28 2006

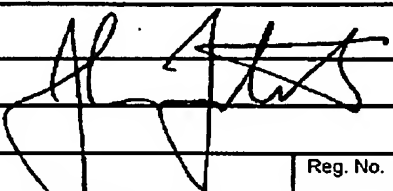
PTO/SB/21 (06-04)

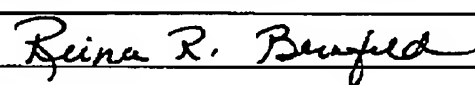
Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/681,005
	Filing Date	October 7, 2003
	First Named Inventor	Clayton, Richard N.
	Art Unit	2872
	Examiner Name	Scott J. Sugarman
	Attorney Docket Number	FRSN001US0
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks It is believed no fee is due with this submission, however, should a further fee be deemed due, or a credit issued, the Commissioner is hereby authorized to deduct or credit such fee from deposit account number 50-3694 in the name of Fortkort & Houston P.C.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Fortkort & Houston P.C.		
Signature			
Printed name	John A. Fortkort		
Date	28 August 2006	Reg. No.	38,454

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Reina R. Bernfeld	Date	28 August 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AUG 28 2006

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2005☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) -0-

Complete if Known

Application Number	10/681,005
Filing Date	October 7, 2003
First Named Inventor	Claytor, Richard N.
Examiner Name	Sugarman, Scott J.
Art Unit	2872
Attorney Docket No.	FRSN001US0

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Account Deposit Account Number: 50-3694 Deposit Account Name: Fortkort & Houston P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims <u>60</u>		
<u>32</u> - <u>20</u> or HP = <u>0</u> x <u>0</u> = <u>0</u>		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims <u>6</u>		
<u>4</u> - <u>3</u> or HP = <u>0</u> x <u>0</u> = <u>0</u>		
HP = highest number of independent claims paid for, if greater than 3.		
Multiple Dependent Claims		
Fee (\$)		
Fee Paid (\$)		
<u>-0-</u>		<u>-0-</u>

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u>100</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>100</u> - 100 = <u>0</u> / 50 = <u>0</u> (round up to a whole number) x <u>0</u> = <u>0</u>				

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 38,454	Telephone 512-343-4539
Name (Print/Type)	John A. Fortkort	Date	28 August 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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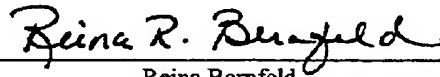
Attorney Docket No.: FRSN001US0

PATENTS
Customer No. 37,141**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Richard N. Claytor
Serial No.: 10/681,005
Filing Date: October 7, 2003
Examiner: Scott J. Sugarman
Art Unit: 2872
Title: Imaging Lens for Infrared Cameras

Certification of Transmission Under 37 C.F.R. 1.8Date of Transmission: August 28, 2006

I hereby certify that I have caused the documents indicated herein to be transmitted to the Commissioner for Patents, on the date indicated above, to facsimile number (571) 273-8300.



Reina Bernfeld

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

This paper is being submitted in response to the Final Office Action dated August 4, 2006. **Remarks/Arguments** begin on page 12 of this paper.

Amendments to the Specification: No amendments to the specification are included with this response.

Amendments to the Drawings: No amendments to the drawings are included with this response.